

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL NO. 1456

THIS DOCUMENT RELATES TO:

GSK SETTLEMENT

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**CLASS PLAINTIFFS' NOTICE OF FILING DECISION OF MDL MEDIATOR
REGARDING DISPOSITION OF UNCLAIMED CONSUMER
FUNDS IN THE GSK SETTLEMENT**

Pursuant to Section 22(b)(vii)(b) of the Settlement Agreement and Release of the GlaxoSmithKline Defendants dated August 10, 2006 (the "GSK Settlement") [Docket No. 2972], the parties met on June 22, 2009 with the MDL Mediator, Eric Green of Resolutions, LLC, to discuss the disposition of the remaining unclaimed consumer funds in the GSK Settlement. Attached as **Exhibit A** hereto is a copy of the GSK AWP Allocation Binding Mediation Decision, dated June 22, 2009. Pursuant to the GSK Settlement the mediator's decision is submitted to the Court for review and approval.

DATED: June 25, 2009

By /s/ Steve W. Berman
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CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **CLASS PLAINTIFFS' NOTICE OF FILING DECISION OF MEDIATOR REGARDING DISPOSITION OF UNCLAIMED CONSUMER FUNDS IN THE GSK SETTLEMENT**, to be delivered to all counsel of record by electronic June 25, 2009, a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Steve W. Berman

Steve W. Berman